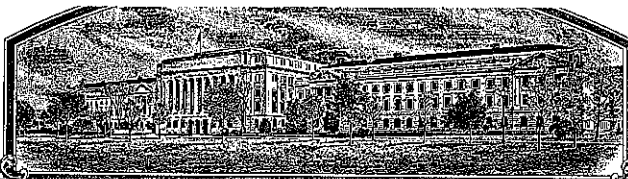


No.

200000106



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Busch Agricultural Resources, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION, MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE SEED. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BARLEY

'6B94-8253'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twelfth day of September, in the year two thousand one.

Attest:

Paul M. Jacobson

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Arthur W. Gorman
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)

BUSCH AGRICULTURAL RESOURCES, INC.

2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER

6B94-8253

3. VARIETY NAME

6B94-8253

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)

3515 EAST COUNTY ROAD 52
FT. COLLINS, CO 80524 USA

5. TELEPHONE (include area code)

(970) 221-5622

FOR OFFICIAL USE ONLY

TYPE NUMBER

200000106

6. FAX (include area code)

(970) 472-2334

DATE
12-27-1999

7. GENUS AND SPECIES NAME

HORDEUM VULGARE L.

8. FAMILY NAME (Botanical)

GRAMINEA

9. CROP KIND NAME (Common name)

SPRING BARLEY

10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (Common name)

CORPORATION

11. IF INCORPORATED, GIVE STATE OF INCORPORATION

DELAWARE

12. DATE OF INCORPORATION

01-01-81

FILING AND EXAMINATION FEE:

\$ 2450.00

DATE

12-27-1999

CERTIFICATION FEE:

\$ 320.00

DATE

8/31/01

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

DR. LES WRIGHT Thomas M. Wood -OR-

DR. MIKE BJARKO

BUSCH AGRICULTURAL RESOURCES, INC.

(SAME ADDRESS AND PHONE)

3515 EAST COUNTY ROAD 52

10733 Sunset Office Drive, Suite 400

FT. COLLINS, CO 80524 USA

St. Louis MO 63127

14. TELEPHONE (include area code)

(970) 221-5622

314-909-3970

15. FAX (include area code)

(970) 472-2334

16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)

a. ☒ Exhibit A. Origin and Breeding History of the Variety

b. ☒ Exhibit B. Statement of Distinctness

c. ☒ Exhibit C. Objective Description of the Variety

d. ☒ Exhibit D. Additional Description of the Variety (Optional)

e. ☒ Exhibit E. Statement of the Basis of the Applicant's Ownership

f. ☒ Voucher Sample (2,600 viable untreated seeds or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in an approved public repository)

g. ☒ Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)

17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act)

☒ YES (If "yes," answer items 18 and 19 below)

☒ NO (If "no," go to item 20)

18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☐ YES

☒ NO

19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☐ FOUNDATION

☐ REGISTERED

☐ CERTIFIED

20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

☐ YES (If "yes," give names of countries and dates)

☒ NO

21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.

The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT (Owner(s))

SIGNATURE OF APPLICANT (Owner(s))

NAME (Please print or type)

NAME (Please print or type)

MICHAEL BJARKO

CAPACITY OR TITLE

CAPACITY OR TITLE

Barley Breeder

DATE

DATE

25 Oct '99

EXHIBIT A**ORIGIN AND BREEDING HISTORY OF 6B94-8253**

PEDIGREE: B1614/STANDER

DATE OF CROSS: November, 1991

History:

In 1991 the cross B1614 was made in the greenhouse in Fort Collins, CO. The F1 was grown out in the greenhouse. Since there is no segregation in the F1 no selections were made. The F2 generation was grown in the field during the summer of 1992 in Ft Collins, CO. Individual plants were selected, based on the following criteria: Straw strength, Maturity, Scald resistance, Net blotch resistance. Two generations of single seed descent were carried out in the greenhouse in Fort Collins during the fall and winter of 1992/1993 with no selections. The selection 6B94-8253 originated in Idaho Falls, ID in the summer of 1993 from an F5 headrows. At the F5 stage experimental lines are selected based on several criteria. These traits are compared with those of selected commercial varieties grown in the same location. These varieties were Robust and Excel. At the F5 headrow stage, selections is based on the following criteria:

Agronomic Traits:

Straw strength
Height, maturity
Head size
Test weight
Scald resistance.

Malting Traits:

Kernel plumpness
Protein
Extract level prediction.

The F6 generation was a seed increase During the winter of 1993/1994 in Yuma, AZ. As an F7, it was first tested in replicated yield trials in 1994 at Moorhead and Crookston, MN. It has since been grown in replicated yield trials in Minnesota, North Dakota, Montana, Idaho, Alberta, Saskatchewan and Manitoba. From the first year of yield testing through the release of the variety, continual assessments of numerous agronomic and malting traits are carried out. These traits are assessed on samples grown at several locations per year and statistically compared to the most widely grown commercial varieties, plus selected advanced experimental lines. The varieties Robust, Excel and Stander were used throughout the testing program. The following criteria are assessed at each stage of yield trial testing:

Agronomic traits:

Yield
Straw strength (lodging)
Height
Maturity
Test weight
Resistance to scald
Resistance to net blotch
Resistance to spot blotch

Malting traits:

Kernel plumpness
Extract Level
Total protein
Soluble protein
Alpha amylase
Diastatic power
Wort viscosity
Turbidity

Our most important agronomic traits are yield, straw strength and disease resistance. Our most important malting traits are extract level, protein and enzyme levels (alpha amylase and diastatic power).

It was entered in the Mississippi Valley Uniform Regional Barley Nursery in 1997. In 1999 it was entered in the Western Regional Cooperative Trial. It is targeted as a six-rowed malting barley for midwestern and western barley production. In 1997 head selections were made at Fort Collins, Colorado from a uniform and stable population to initiate purification and multiplication. Headrows were grown in the field at Ft Collins, CO in 1998. In 1999, headrows and progeny plots were grown in the field at Ft Collins, CO. Breeder seed is being produced near in Ft Collins during the 2000 season. 6B94-8253 has been uniform and stable from F6 through F10(Breeder Seed). Less than .005% of the progeny plots were eliminated from the field in 1999. Approximately 95% of the rogued plots were 2 to 4 centimeters taller than 6B94-8253. Less than .05% total variant plants may be encountered in subsequent generations. Certified seed will be available in 2003.

EXHIBIT B**STATEMENT OF DISTINCTNESS**

6B94-8253 is most similar to the spring barley variety "Stander", however it can be distinguished by the following morphological characteristics.

- 6B94-8253 has a cup collar shape.
Stander has a saucer shape
- 6B94-8253 has no sharkskin in the interveinal areas of the lemma
Stander has sharkskin in the interveinal areas of the lemma.
- 6B94-8253 has semi-smooth lemma awns.
Stander has smooth lemma awns.
- 6B94-8253 has no crease or fence hairs.
Stander has both crease and fence hairs.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK AND SEED DIVISION
BELTSVILLE, MARYLAND 20705

EXHIBIT C

(Barley)

OBJECTIVE DESCRIPTION OF VARIETY

BARLEY (*HORDEUM VULGARE*)

INSTRUCTIONS: See Reverse.

NAME OF APPLICANT(S)

BUSCH AGRICULTURAL RESOURCES, INC.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

3515 EAST COUNTY ROAD 52

FT. COLLINS, CO. 80524 USA

FOR OFFICIAL USE ONLY

PVPO NUMBER

200000106

VARIETY NAME OR TEMPORARY DESIGNATION

6B94-8253

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (i.e. or) when number is either 99 or less or 9 or less.

1. GROWTH HABIT:

1 = SPRING 2 = FACULTATIVE WINTER 3 = WINTER Early Growth: 1 = PROSTRATE 2 = SEMIPROSTRATE
3 = ERECT

2. MATURITY (50% Flowering):

1 = EARLY (California Mariout) 2 = MIDSEASON (Betzes) 3 = LATE (Frontier)

No. of days Earlier than } 1 = BETZES 2 = CALIFORNIA MARIOUT 3 = CONQUEST 4 = DICKSON
 No. of days Later than } 5 = PIROLINE 6 = PRIMUS 7 = UNITAN 8 = STANDER

3. PLANT HEIGHT (From soil level to top of head):

1 = SEMIDWARF 2 = SHORT (California Mariout) 3 = MEDIUM TALL (Betzes) 4 = TALL (Conquest)

Cm. Shorter than } 1 = BETZES 2 = CALIFORNIA MARIOUT 3 = CONQUEST 4 = DICKSON
 0 4 Cm. Taller than } 5 = PIROLINE 6 = PRIMUS 7 = UNITAN 8 = STANDER

4. STEM:

Exertion (Flag to spike at maturity): 1 = 0-3 cm. 2 = 3-10 cm. Anthocyanin: 1 = ABSENT 2 = PRESENT
3 = 10-15 cm.

0 5 NO. OF NODES (Originating from node above ground)

Collar Shape: 1 = CLOSED 2 = V-SHAPED 3 = OPEN Shape of Neck: 1 = STRAIGHT 2 = SNAKY
4 = MODIFIED CLOSED OR OPEN 5 = CUP 3 = OTHER (Specify) .

5. LEAF:

Basal leaf sheath (seedling): 1 = GLABROUS 2 = PUBESCENT Position of flag leaf (at boot stage): 1 = DROOPING
2 = UPRIGHT

Waxiness: 1 = ABSENT (Glossy) 2 = SLIGHTLY WAXY 1 6 MM. WIDTH (First leaf below flag leaf)

2 3 CM. LENGTH (First leaf below flag leaf) Anthocyanin in leaf sheath: 1 = ABSENT 2 = PRESENT

6. HEAD:

Type: 1 = TWO-ROWED 2 = SIX-ROWED Density: 1 = LAX 2 = ERECT (Not dense)
3 = ERECT (Dense) 4 = MID-LAX

Shape: 1 = TAPERING 2 = STRAP 3 = CLAVATE Waxiness: 1 = ABSENT (Glossy) 2 = SLIGHTLY WAXY
4 = OTHER (Specify) PARALLEL 3 = WAXY

Lateral Kernels Overlap: 1 = NONE 2 = AT TIP Rachis (Hair on edge): 1 = LACKING 2 = FEW 3 = COVERED
3 = 1/4 - 1/2 OF HEAD

7. GLUME:

Length: 1 = 1/3 OF LEMMA 2 = 1/2 OF LEMMA Hairs: 1 = NONE 2 = SHORT 3 = LONG
3 = MORE THAN 1/2 OF LEMMA

Hair covering: 1 = NONE 2 = RESTRICTED TO MIDDLE 3 = CONFINED TO BAND 4 = COMPLETELY COVERED

Awns: 1 = LESS THAN EQUAL TO LENGTH OF GLUMES 2 = EQUAL TO LENGTH OF GLUMES
3 = MORE THAN EQUAL TO LENGTH OF GLUMES

Awn Surface: 1 = SMOOTH 2 = SEMISMOOTH 3 = ROUGH

8. LEMMA:

☐ 5 Awn: 1 = AWNLESS 2 = AWNLETS ON CENTRAL ROWS, AWNLESS ON LATERAL ROWS
3 = SHORT ON CENTRAL ROWS, AWNLETS ON LATERAL ROWS 4 = SHORT (less than equal to length of spike)
5 = LONG (longer than spike) 6 = HOODED

☐ 3 Awn Surface: 1 = AWNLESS 2 = SMOOTH 3 = SEMISMOOTH 4 = ROUGH

☐ 3 Teeth: 1 = ABSENT 2 = FEW 3 = NUMEROUS

☐ 1 Shape of base: 1 = DEPRESSION 2 = SLIGHT CREASE 3 = TRANSVERSE CREASE

☐ 1 Hair: 1 = ABSENT 2 = PRESENT

☐ 1 Rachilla Hair: 1 = SHORT 2 = LONG

9. STIGMA:

☐ 2 Hairs: 1 = FEW 2 = MANY

10. SEED:

☐ 2 Type: 1 = NAKED 2 = COVERED

☐ 1 Hairs on Ventral Furrow: 1 = ABSENT 2 = PRESENT

☐ 4 Length: 1 = SHORT (8.0 mm.) 2 = SHORT TO MIDLONG (7.5 - 9.0 mm.) 3 = MIDLONG (8.5 - 9.5 mm.)
4 = MIDLONG TO LONG (9.0 - 10.5 mm.) 5 = LONG (10.0 mm.)

☐ 2 Wrinkling of hull: 1 = NAKED 2 = SLIGHTLY WRINKLED 3 = SEMIWRINKLED 4 = WRINKLED

☐ 1 Aleurone Color: 1 = COLORLESS (White or Yellow) 2 = BLUE

☐ 0 ☐ 0 PERCENT ABORTIVE

☐ 4 ☐ 7 GMS. PER 1000 SEEDS

11. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant) 3 = Mod. Susceptible 4 = Mod. Resistant

<input type="checkbox"/> 3 SEPTORIA	<input type="checkbox"/> 4 NET BLOTCH	<input type="checkbox"/> 4 SPOT BLOTCH	<input type="checkbox"/> 0 POWDERY MILDEW
<input type="checkbox"/> 0 LOOSE SMUT	<input type="checkbox"/> 0 BACTERIAL BLIGHT	<input type="checkbox"/> 0 COVERED SMUT	<input type="checkbox"/> 0 FALSE LOOSE SMUT
<input type="checkbox"/> 2 STEM RUST	<input type="checkbox"/> 0 LEAF RUST	<input type="checkbox"/> 3 SCAB	<input type="checkbox"/> 3 SCALD
<input type="checkbox"/> 0 AY	<input type="checkbox"/> 0 BSMV	<input type="checkbox"/> 0 BYDV	<input type="checkbox"/> 0 OTHER (Specify)

12. INSECT: (0 = Not tested, 1 = Susceptible, 2 = Resistant)

<input type="checkbox"/> 0 GREEN BUG	<input type="checkbox"/> 0 ENGLISH GRAIN APHID.	<input type="checkbox"/> 0 CHINCH BUG	<input type="checkbox"/> 0 ARMYWORM
<input type="checkbox"/> 0 GRASS HOPPERS	<input type="checkbox"/> 0 CEREAL LEAF BEETLE	<input type="checkbox"/> 0 OTHER (Specify)	
HESSIAN FLY RACES		<input type="checkbox"/> GP	<input type="checkbox"/> A
		<input type="checkbox"/> D	<input type="checkbox"/> E
		<input type="checkbox"/> B	<input type="checkbox"/> C
		<input type="checkbox"/> F	<input type="checkbox"/> G

13. CHEMICAL (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

☐ 0 DDT

☐ 0 OTHER (Specify)

14. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	STANDER	Seed size	STANDER
Leaf size	STANDER	Coleoptile elongation	STANDER
Leaf color	STANDER	Seedling pigmentation	STANDER
Leaf carriage	STANDER		

REFERENCES: The following publications may be used as a reference aid for the standardization of character descriptions and terms used in this form:

1. Wiebe, G. A., and D. A. Reid, 1961, Classification of Barley Varieties Grown in the United States and Canada in 1958, Technical Bulletin No. 1224, U.S. Dept. of Agriculture.
2. Reid, D. A., and G. A. Wiebe, 1968, Barley: Origin, Botany, Culture, Winter Hardiness, Genetics, Utilization, Pests, Agriculture Handbook No. 338, U.S. Dept. of Agriculture. pp. 61 - 84.
3. Malting Barley Improvement Association, Milwaukee, Wisconsin, 1971, Barley Variety Dictionary.

COLOR: Nickerson's or any recognized color fan may be used to determine color of the described variety.

FORM LFGS-470-5 (8-80) (REVERSE)

EXHIBIT D

BOTANICAL DESCRIPTION OF 6B94-8253

6B94-8253 is a six-row, mid-season spring barley bred and developed by Busch Agricultural Resources, Incorporated Ft. Collins, Colorado. It has excellent malting quality.

Juvenile growth habit is semi-erect. Plant color at boot is green with an upright flag leaf. Head shape is parallel and mid-lax in density with a nodding head type. Neck is straight with a cup type collar. First rachis segment is long and narrow. Base of the first segment is a margin flange with very few hairs on the margin. Rachis shape is plain with short hairs on the margins. Glume length is three-fourths the length of the kernel and glume hair is short covering the outer surface. The glume awns are rough and longer than the length of the glume. Lemma awns are semi-smooth and longer than the length of the spike. Lemma teeth are frequent. Lemma hair is absent and the base is a depression with angular depressions. Seed is covered, mid-long to long, finely wrinkled with wax slightly present. Aleurone is colorless. Palea tips are long. Rachilla length is one-half the length of the kernel with many short hair thicker at the base. Ventral crease is V-shaped lacking crease hairs and fence hairs.

6B94-8253 is a Midwestern six-rowed variety well adapted to Minnesota, North Dakota, Idaho and Montana.

6B94-8253

2000001067

1999 Third Year Midwestern Six-Rowed A.M.B.A Testing Candidate

Agronomic Summary

Line or Variety	Yield (% Stander)						(10)	(8)	(10)	(12)	(5)	(7)
	(4)	(3)	(4)	(6)	(4)	(21)	Ht	Ldg	Mat	Test	Spot	
	<u>95</u>	<u>96</u>	<u>97</u>	<u>98</u>	<u>99</u>	<u>Avg</u>	<u>CM</u>	<u>1-9</u>	<u>1-9</u>	<u>Wt</u>	<u>Blotch</u>	<u>DON</u>
6B94-8253	102	99	102	104	98	102	85	1.8	5.8	47.1	3.1	2.1
Stander	100	100	100	100	100	100	81	2.7	6.8	48.3	3.5	2.8
	(78) *	(85)	(72)	(70)	(69)	(74)						

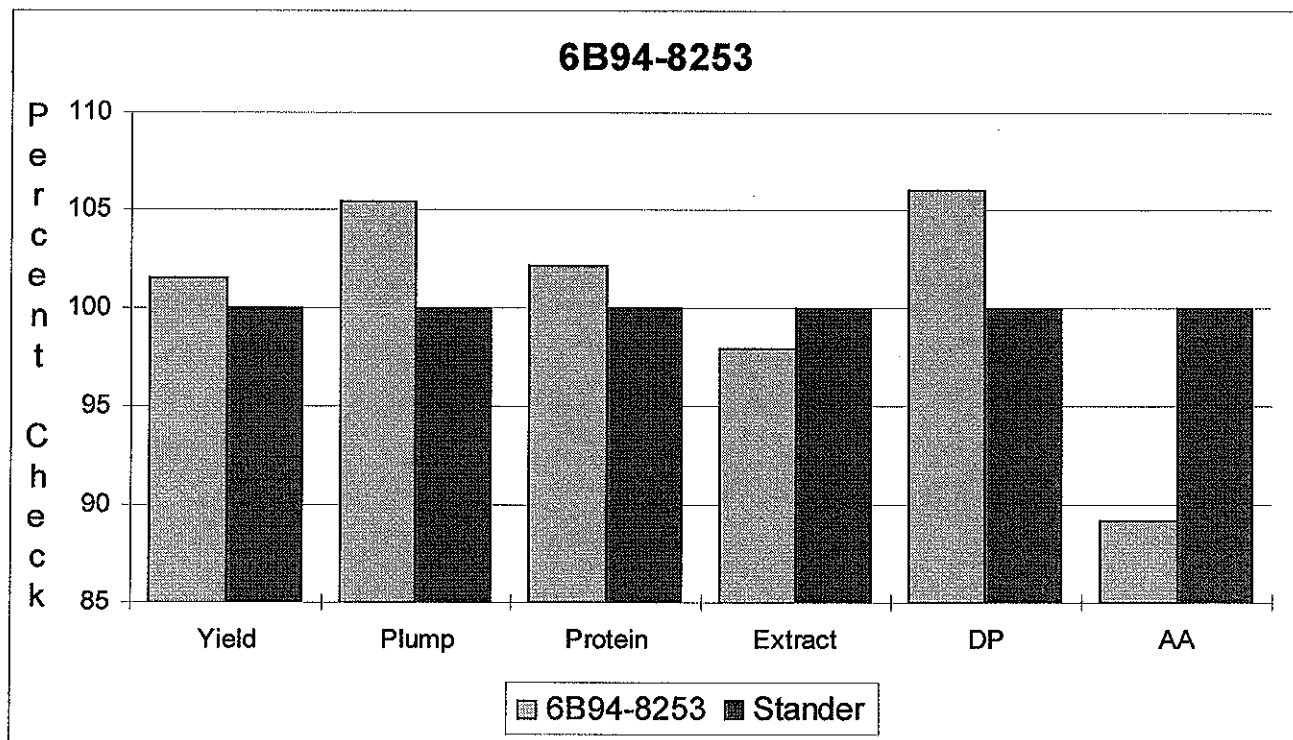
1995-99 Data, () = Station Years

* Bushel / Acre

Quality Summary

Line or Variety	Extract							Wort				
	(11)	(14)	(8)	(14)	(8)	(8)	(14)	(14)	(14)	(14)	(3)	(14)
	<u>%</u>	<u>Malt</u>	<u>F.</u>	<u>C.</u>	<u>F-C</u>	<u>Wort</u>	<u>S/T</u>	<u>Sol</u>	<u>DP</u>	<u>AA</u>	<u>Color</u>	<u>Turb</u>
6B94-8253	79.2	13.5	77.0	75.6	2.58	1.45	42.2	5.70	173	64.1	2.3	7.8
Stander	75.1	13.2	77.9	77.2	1.54	1.44	47.7	6.31	163	71.9	2.8	15.3

1995-98 Data, () = Station Years



Agronomic and quality abbreviation defined.

Yield = The yield as a percent of B1202

Ht CM = The height of the plant in centimeters

Ldg 1-9 = The percent of lodging, 1= 0%- 10% and 9= 90% - 100% lodging

Mat = Is a rating of maturity. 1= very early and 9 = very late

Test Wt. = Test Weight which measures bushel weight

Scald = The percent of the plant infected with scald.

Net Blotch = the percent of the plant infected with net blotch

% Plump = The percent of plump kernels

Malt Protein = The protein measurement of the malt

F. Grind = The measurement of extract from barley ground to a fine particle size.

C. Grind = The measurement of extract from barley ground to a course particle size.

F-C Diff = The difference between fine and the course grind.

Wort Visc. = The viscosity of the wort.

S/T = The soluble protein divided by the total protein.

Sol Protein = Soluble protein.

DP = Diastatic Power (enzyme measurement).

AA = Alpha Amylase (enzyme measurement).

Color = Measures clarity

Turb = Turbidity or folowability.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) BUSCH AGRICULTURAL RESOURCES, INC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER 6B94-8253	3. VARIETY NAME
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 3515 EAST COUNTY ROAD 52 FT. COLLINS, CO 80524 USA	5. TELEPHONE (include area code) (970) 221-5622	6. FAX (include area code) (970) 472-2334
7. PVPO NUMBER 200000106		

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES ☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?
If no, give name of country

☒ YES ☐ NO

10. Is the applicant the original breeder? If no, please answer the following:

☒ YES ☐ NO

a. If original rights to variety were owned by individual(s):

Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country

☐ YES ☐ NO

b. If original rights to variety were owned by a company:

Is the original breeder(s) U.S. based company? If no, give name of country

11. Additional explanation on ownership (If needed, use reverse for extra space):

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

EXHIBIT E.**STATEMENT OF THE BASIS OF APPLICANT'S OWNERSHIP**

Busch Agricultural Resources, Incorporated is applicant for protection in this case being:

- a.) The incorporated business registered in Delaware for and within regular employees have bred 6B94-8253.
- b.) The proprietary owner and intending commercial seller of 6B94-8253.